

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2098

HAMID REZA SHARIF MOHSENI,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A76-415-633)

Submitted: July 7, 2004

Decided: August 12, 2004

Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

John S. Richbourg, Memphis, Tennessee, for Petitioner. Peter D. Keisler, Assistant Attorney General, David V. Bernal, Assistant Director, Jamie M. Dowd, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Hamid Reza Sharif Mohseni, a native and citizen of Iran, petitions for review of an order of the Board of Immigration Appeals ("Board") affirming, without opinion, the immigration judge's order denying his applications for asylum and withholding of removal.

In his petition for review, Mohseni challenges the immigration judge's determination that he was not eligible for asylum because he was firmly resettled in Sweden. Our review of the record reveals that substantial evidence supports this determination, and we therefore uphold the immigration judge's denial of asylum relief. See 8 C.F.R. § 1208.15 (2004); Mussie v. INS, 172 F.3d 329, 331-32 (4th Cir. 1999).

We also uphold the immigration judge's denial of Mohseni's request for withholding of removal. To qualify for withholding of removal, an applicant must demonstrate "a clear probability of persecution." INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). Based on our review of the record, we find that Mohseni has failed to meet this standard.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED